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ROTHWELL FIGG

JCWSCS 15 OCT 2004

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FILE COPY

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FACSIMILE TRANSMITTAL SHEET

DATE: October 14, 2004

TO: Office of Initial Patent Examination's Filing Receipt Corrections
United States Patent and Trademark Office
Group Art Unit 1648
Fax No.: (703) 746-9195

FROM: Martha Cassidy

OUR REF: 1954-437

YOUR REF.: U.S. Application No. 10/736,640
Confirmation No.: 4749

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Number of Pages Including This Transmittal Sheet: 8

If there are any problems in connection with this facsimile, please contact: Martha Cassidy at 202-783-6040.

MESSAGE, IF ANY:

Please find attached a Request for Corrected Filing Receipt and a Submission of Supplemental Application Data Sheet submitted herewith.

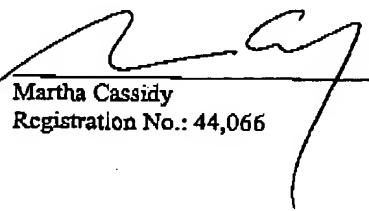
CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that these papers, the submission of a Supplemental Application Data Sheet and Request for Corrected Filing Receipt for U.S. Application No. 10/736, are being transmitted to facsimile no. (703) 746-9195 to the Office of Initial Patent Examination's Filing Receipt Corrections of the United States Patent and Trademark Office on the date shown below.

October 14, 2004

Attachments:

Request for Corrected Filing Receipt
Marked-up Copy of Filing Receipt
Submission of Supplemental ADS Transmittal
Supplemental ADS


Martha Cassidy
Registration No.: 44,066

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/736,640
Applicant : Don J. DIAMOND
Filed : December 17, 2003
TC/A.U. : 1648
Examiner : Ali Reza Salimi

Docket No. : 1954-437
Customer No. : 06449
Confirmation No. : 4749

**Office of Initial Patent Examination's
Filing Receipt Corrections**
Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Dear Sir:

Applicant is in receipt of the Official Filing Receipt dated September 14, 2004 and requests correction thereof. Attached hereto is a copy of the Official Filing Receipt with the requested change marked in red and a Supplemental Application Data Sheet.

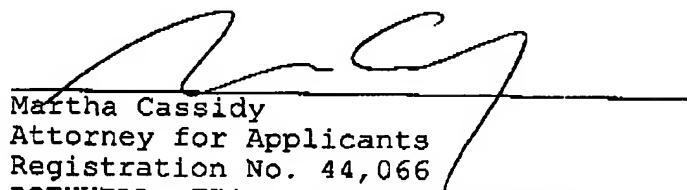
Under the "Domestic Priority Data As Claimed by Applicant" heading, please delete "This application 10/736,640" and replace this language with --which--. The present application is not a CIP of 08/747,488 filed 11/12/1996 (abandoned). The last two lines under this heading should read "which is a CIP of 08/950,064 10/14/1997 ABN which is a CIP of 08/747,488 11/12/1996 ABN." A supplemental Application Data Sheet is being submitted herewith, which shows the correct domestic priority information

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Applicant requests correction of the Domestic Priority Data of this application. No fee is believed to be due in this matter. However, the Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this document is enclosed.

Respectfully submitted,

By


Martha Cassidy
Attorney for Applicants
Registration No. 44,066
ROTHWELL, FIGG, ERNST & MANBECK, p.c.
Suite 800, 1425 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 783-6040

Enclosure:
Marked-Up Copy of Filing Receipt

1954-437.rcfr.wpd

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY/POCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/736,640	12/17/2003	1648	514	1954-437	10	12	6

6449
 ROTHWELL, FIGG, ERNST & MANBECK, P.C.
 1425 K STREET, N.W.
 SUITE 800
 WASHINGTON, DC 20005

CONFIRMATION NO. 4749
 FILING RECEIPT

OC000000013798837

Date Mailed: 09/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Don J. Diamond, Glendora, CA;

Assignment For Published Patent Application

City of Hope, Duarte, CA

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Power of Attorney: The patent practitioners associated with Customer Number 6449.

Domestic Priority data as claimed by applicant

This application is a DIV of 09/984,365 10/30/2001 PAT 6,733,973 which is a CON of 09/692,170 10/20/2000 PAT 6,562,345 which is a CIP of 09/534,639 03/27/2000 PAT 6,251,399 which is a DIV of 09/075,257 05/11/1998 PAT 6,074,645 which is a CIP of 09/021,298 02/10/1998 PAT 6,156,317 which is a CIP of 08/950,064 10/14/1997 ABN

~~This application 10/736,640~~
 which is a CIP of 08/747,488 11/12/1996 ABN

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 ROTHWELL, FIGG, ERNST & MANBECK
 FILE NO. 1954-437
 FAC PROC INIT

WDL

Foreign Applications

DKT ENTRY IN: _____
 SEND TO: EAF MC _____
 OK TO FILE: _____

If Required, Foreign Filing License Granted: 09/14/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/736,640

Projected Publication Date: 12/23/2004

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Diagnostic reagents for human cytomegalovirus and methods of use

Preliminary Class

435

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/736,640
Applicant : Don J. DIAMOND
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Confirmation No. : 4749

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION OF SUPPLEMENTAL APPLICATION DATA SHEET

Dear Sir:

Applicant respectfully submits herewith a Supplemental Application Data Sheet, which shows the Domestic Priority Data information to reflect that Serial No. 08/950,064, filed 10/14/1997, is a Continuation-in-Part of 08/747,488, filed 11/12/1996. Applicant requests that this information be entered into the file for the above-captioned patent application.

Respectfully submitted,

By


Martha Cassidy
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